



## **CITY OF SUNNYVALE ADMINISTRATIVE HEARING**

**MINUTES**  
**Wednesday, July 12, 2006**

**2006-0582** – Application for a Use Permit on a 10,000 square foot site to allow a new 8-foot tall side yard fence. The property is located at **814 Gail Avenue** (near Iris Avenue) in an R-1 (Low Density Residential) Zoning District. (APN: 211-11-022)

In attendance: George Towner, Applicant; Karen Rivers, Neighbor; Andrew Miner, Administrative Hearing Officer; Ryan Kuchenig, Project Planner; Luis Uribe, Staff Office Assistant.

**Mr. Andrew Miner**, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Mr. Miner announced the subject application.

**Ryan Kuchenig**, Project Planner, stated that the proposed project is a new 8-foot fence along the side property line between 814 Gail Avenue and 807 Anshen Court. A 7-foot portion would lie along the first 31'6" and last 24' 6" of the property. The subject 8-foot portion would lie along the property line directly adjacent to the recently built home at 807 Anshen Court. An existing 6-foot wood fence at this location would be removed. The Use Permit is required for the 8-foot portion of the fence. Seven foot high fences are allowed with an agreement between neighbors and do not require a hearing. The portion of the fence in question is shown on the site plan in Attachment C. The applicant has indicated that the taller fence will provide needed privacy due to the raised floor of the recently built one-story home. (See Attachment D, "Applicant's Description and Justification for the Project," for more information)

Staff recommends approval with the Conditions of Approval located in the staff report. Mr. Kuchenig stated that the neighbor requested that a higher fence be built and is in agreement with the current design of the proposed project.

**Mr. Miner opened the public hearing.**

**George Towner**, Applicant, received and reviewed a copy of the staff report. Mr. Towner stated that the purpose of this project is for privacy. He also mentioned that when you look through his neighbor's window you can look right into his yard and into his home. The applicant stated that the fence is not visible from the street so it will only affect the two neighbors which it is in between.

**Karen Rivers**, Neighbor, stated that she is in full support of the project and does not believe that the fence will take away from the appearance of the neighborhood due to the lack of visibility from the street.

**Mr. Miner closed the public hearing.**

**Mr. Miner approved the application subject to the Findings and Conditions of Approval located in the staff report.**

**Mr. Miner stated that the decision is final unless appealed to the Planning Commission with payment of the appeal fee within the 15-day appeal period.**

The meeting was adjourned at 2:10 p.m.

Minutes approved by:  
Andrew Miner, Principal Planner